

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

LBRY Inc. ,

Defendant,

LBRY Foundation Inc.,

Defendant-Intervenor.

1:21-cv-00260-PB

NOTICE OF APPEAL

Notice is hereby given that LBRY Foundation Inc., a proposed Defendant-Intervenor in the above-named case, hereby appeals to the United States Court of Appeals for the First Circuit from an order denying its motion to intervene in the case entered in this action on July 29, 2021.

Dated: August 3, 2021

Respectfully submitted,

/s/ Simon R. Brown

Simon R. Brown (N.H. Bar No. 9279)

PRETI, FLAHERTY, BELIVEAU & PACHIOS, PLLP

P.O. Box 1318

57 North Main Street

Concord, NH, 03302-1318

Tel: (603) 410-1500

Email: sbrown@preti.com

Cory C. Kirchert (pro hac vice)
Adriaen M. Morse Jr. (pro hac vice)
ARNALL GOLDEN GREGORY LLP
1775 Pennsylvania Avenue, NW, Suite 1000
Washington, DC 20006
Tel: (202) 677-4058
Email: adriaen.morse@agg.com
Email: cory.kirchert@agg.com

Counsel for Proposed Defendant-Intervenor

CERTIFICATE OF SERVICE

I hereby certify that, on August 3, 2021, I caused true and correct copies of the foregoing Notice of Appeal to be served on counsel of record for all parties that have appeared to date through the Court's CM/ECF system as listed below.

Peter Moores, Esq.
Eric Forni, Esq.
Marc Jonathan Jones, Esq.
U.S. Securities and Exchange Commission
33 Arch Street, 24th Floor
Boston, MA 02110

William E. Christie, Esq.
Shaheen & Gordon, P.A.
107 Storrs Street
P.O. Box 2703
Concord, NH 03302-2703

/s/ Simon R. Brown
Simon R. Brown